

Reply comments to the National Cable Television Association (NCTA) “another industry forum”.

I too am a customer of a company that is owned by the original developer which arranged a 15 year exclusive contract with the master HOA which is managed by the developer. I am a victim of such practices and now I am part of the ugly side effects of exclusive and “bulk billing Agreements”. I would like to respond to the NCTA comments.

I do not agree that with the comment made by the NCTA that the FCC doesn't have the authority over PCO. An example of this was outlined by another owner in VA. Sections 628(b), 628(j), and our ancillary jurisdiction provide ample bases for regulating these specific MVPDs. Moreover, Sections 4(i), 201(b), and 303(r) supply the Commission with strong authority to enforce the full scope of the Cable Act prohibition at issue.

To add to this, companies like Century Communications (Owned by former owners of Transeastern Properties) are required to file for OPEN VIDEO SYSTEM CERTIFICATION with the FCC. Their application can be found at <http://www.fcc.gov/mb/ovs/ccocflovs.doc>. If they have to request the FCC for a certification, why can't the FCC regulate these companies? Currently they do not follow many standards and are open to practices however they want. They are not fined for outages and can't be punished for not upgrading systems or keeping standards. There is no set standard or SLA's.

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It is disturbing to know that industry forums like NCTA/ NMHC/NAA facilitate these practices. If they can sue the FCC a government commission, why can't we sue them (NCTA/ NMHC/NAA)? It is a shame they make money by taking away our consumers rights. Now, the government is forced to spend our hard earned taxpayer money to defend the Commission of this frivolous lawsuit. Not only will the Federal government have to pay for this but local state and city agencies will lose as well. Not one company will admit that they spend a lot of money in court time defending these practices. What is a shame is that this case doesn't account for what local states lose on a yearly basis on court cases that have

I urge the Federal Communications Commission ban bulk billing agreements for Internet/Telephone/Cable TV/ Satellite TV/ Alarm companies. I believe bulk billing agreements are attempts to bypass current telecommunications and antitrust laws. These corporations provide telecommunication services to a large number of customers using monopolies with prevailing service providers, under unregulated conditions, and with disregard to consumers' rights. Bulk billing agreements are worse than exclusivity contracts because bulk billing typically includes cable,

internet and telephone at a premium price under the false pretense of getting a special price. In some cases these rates reflect standard package rates costing the consumer a lot more to get premier packages. The worse part is private cable operators lock in prices regardless of changes in time and technology. This encourages them to limit system upgrades to reduce their cost. Those rates are negotiated on at a period of time and does not change to reflect new times and technologies that may be cheaper. They sell this as an insurance policy to HOA's and MDU's. The developer profits from the discount by reducing their cost towards the infrastructure and the homeowners end up paying retail or worse. Bulk Billing arrangements are contrary to Congressional efforts to advance broadband technology in the United States. These agreements eliminate competition and telecommunication advances for the communities affected. Any company, regardless of industry sector (DENTISTS INCLUDED), that provides telecommunications or cable services, should be regulated.

No one in this country should be unconstitutionally bounded to regressive contracts that fill the pockets of the already rich and powerful. We are in need of action and can only hope we receive a speedy response. We should not have to review hundreds of pages of contracts or hire a lawyer to obtain or change telephone, cable or internet services.

Regards,  
Zuriel Cabrera  
(Victim of Century Communication and Transeastern Homes)  
Tampa FL